

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

ORDER

Before the Court is Magistrate Judge Robert E. Larsen's Report and Recommendation to deny Defendant James W. Eddy's (the "Defendant") Motion to Dismiss Count Seven Due to Lack of Evidence. See Docs. 215, 237. After an independent review of the record, the applicable law and the parties' arguments, the Court ADOPTS the Magistrate's Report and Recommendation (Doc. 237). Accordingly, the Court ORDERS that the Magistrate's Report and Recommendation be attached to and made a part of this Order, and DENIES the Defendant's Motion to Dismiss Count Seven Due to Lack of Evidence (Doc. 215).

IT IS SO ORDERED.

Date: May 17, 2013

/s/ Dean Whipple
Dean Whipple
United States District Judge